

SAMPLE -301(a) INPATIENT ORDER

IN THE _____ COURT OF _____ COUNTY, TENNESSEE

STATE OF TENNESSEE

VS.

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)
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No. _____

Charge(s): _____

**ORDER DIRECTING FORENSIC EVALUATION BY THE MENTAL HEALTH INSTITUTE
UNDER T.C.A. SECTION 33-7-301(a)**

This cause was heard on _____ before the Honorable _____, Judge of Division _____, of the _____ Court of _____ County, upon the petition of _____, and based upon the recommendation of _____ (name of community mental health agency) under T.C.A. Section 33-7-301(a) that the defendant be referred to the _____ Mental Health Institute for a maximum of thirty (30) days for the following forensic evaluation(s):

(Check one or both)

_____ Competency to Stand Trial: Whether the defendant has the ability to cooperate with one's attorney in one's own defense; has an awareness and understanding of the nature and object of the proceedings; and has an understanding of the consequences of the proceedings.

_____ Mental Condition at the Time of the Crime (Insanity Defense): Whether, at the time of the commission of the act (s) constituting the offense, the defendant, as a result of a severe mental disease or defect, was unable to appreciate the nature or wrongfulness of such act(s). The term "mental disease or defect" does not include any abnormality manifested only by repeated criminal or otherwise antisocial conduct.

Therefore, it is ORDERED:

1. That the Mental Health Institute designated by the Commissioner of the Tennessee Department of Mental Health and Developmental Disabilities (TDMHDD) perform the evaluations indicated above and report its findings to this court.
2. That the Court Clerk provide the designated Mental Health Institute with a copy of this order.
3. That the Sheriff's Department, after arranging an appointment for admission with the Mental Health Institute designated by the Commissioner of TDMHDD, transport the defendant to the Mental Health Institute for the evaluation and return the defendant to jail when notification is received from the institute.
4. That the district attorney general, defense attorney and sheriff provide pertinent information to the mental health institute for the above-indicated evaluations.

Approved for Entry:

Defense Attorney
Address
Phone number

Judge

District Attorney General
Address
Phone number